



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Mark Grzan, Mayor Pro Tempore	Mark Grzan, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member
Steve Tate, Council Member	Steve Tate, Agency Member

WEDNESDAY, JUNE 7, 2006

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY REGULAR MEETING

7:00 P.M.

CALL TO ORDER

(Mayor Pro Tempore/Vice-Chair Grzan)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

RECOGNITIONS

Retiring Board and Commission Members

Jeff Bernardini - Parks & Recreation Commissioner
Charles Cameron - Library, Culture & Arts Commissioner
Mark Hubbell - Bicycle & Trails Committee Member
Yarmila Kennett - Architectural Review Board Member
Mayor Pro Tempore Grzan

City Beautification Day Volunteers

Project Manager Eulo

PRESENTATIONS

Housing Trust Fund
Taylor Dile, Executive Director of Housing Trust Fund

CITY COUNCIL REPORT

Council Member Carr

CITY COUNCIL COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council and Redevelopment Agency Action

ADOPTION OF AGENDA

City Council Action

CONSENT CALENDAR:

ITEMS 1-20

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Consent Calendar: 1 - 10 Minutes

Page

1. **REQUEST FOR CITY COUNCIL SPONSORSHIP OF THE "MAYORS" FOURTH OF JULY RECEPTION** 1
Recommended Action(s): **Agree** to Sponsor the "Mayors" Fourth of July Reception.
2. **CONTRACT FOR WORKER'S COMPENSATION THIRD PARTY ADMINISTRATOR (TPA)** 3
Recommended Action(s): **Authorize** the City Manager to Execute a Consultant Services Agreement for Third Party Administration of Worker's Compensation at a Cost Not to Exceed \$50,000 over the Term of the Agreement; Subject to Review and Approval by the City Attorney.
3. **STATUS OF FISCAL YEAR 2004-2005 AND 2005-2006 GENERAL PLAN IMPLEMENTATION** 15
Recommended Action(s): **Accept** and **File** the General Plan Implementation Report with the State Office of Planning and Research (OPR) and State Department of Housing and Community Development (HCD).
4. **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDSCS) 2006 QUARTERLY REPORT #1** 45
Recommended Action(s): **Accept** and **File** the RDSCS First Quarter Report for 2006.
5. **AGREEMENT BETWEEN THE CITY AND INDEPENDENCE DAY, INC. TO CO-SPONSOR THE JULY FOURTH CELEBRATIONS** 61
Recommended Action(s): Upon Receipt of a Signed Agreement from Independence Day Inc. (IDI), **Authorize** the City Manager to Sign the Co-Sponsorship Agreement on Behalf of the City; Subject to Review and Approval by the City Attorney.
6. **AWARD OF COYOTE CREEK TRAIL CONNECTION PROJECT** 63
Recommended Action(s):
 1. **Award** Contract to Riley's Striping, Inc. for the Construction of the Coyote Creek Trail Connection Project in the Amount of \$31,643; Subject to Review and Approval by the City Attorney; and
 2. **Authorize** Expenditure of Construction Contingency Funds, Not to Exceed \$3,164.
7. **APPROVAL OF SUBDIVISION IMPROVEMENT AGREEMENT WITH TBI MADRONE VILLAGE, LLC – APN: 726-33-028** 67
Recommended Action(s):
 1. **Approve** the Subdivision Improvement Agreement, and
 2. **Authorize** the City Manager to Sign the Agreement on Behalf of the City with TBI Madrone Village, LLC (APN: 726-33-028); Subject to Review and Approval by the City Attorney.
8. **COUNTYWIDE AB939 IMPLEMENTATION FEE AGREEMENT** 79
Recommended Action(s): **Authorize** the City Manager to Execute the Agreement with the County, Subject to Review and Approval by the City Attorney.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
9.	<u>HOUSEHOLD HAZARDOUS WASTE SERVICES AGREEMENT AMENDMENT</u>	97
	<u>Recommended Action(s):</u> <u>Authorize</u> the City Manager to Execute the Amendment to the Agency Agreement with the County, Subject to Review and Approval by the City Attorney.	
10.	<u>HOUSEHOLD HAZARDOUS WASTE SERVICES AGREEMENT</u>	101
	<u>Recommended Action(s):</u> <u>Authorize</u> the City Manager to Execute the Agreement with the County, Subject to Inclusion of Funding in the Adopted Fiscal Year 2006-2007 City Budget; and Subject to Review and Approval by the City Attorney.	
11.	<u>APPROVAL OF PURCHASE ORDER TO U.S. FILTER FOR PERCHLORATE REMOVAL SYSTEMS OPERATION AT NORDSTROM AND TENNANT WELLS</u>	127
	<u>Recommended Action(s):</u> <u>Authorize</u> Issuance of a Purchase Order to U.S. Filter in the Amount of \$325,000.	
12.	<u>REJECTION OF BID FOR FISCAL YEAR 2006-2007 GROUNDS AND LANDSCAPE MAINTENANCE SERVICES</u>	129
	<u>Recommended Action(s):</u>	
	1. <u>Reject</u> Bid Received on May 25, 2006 for City-Wide Grounds Landscape Maintenance Services; and	
	2. <u>Authorize</u> Staff to Re-Bid.	
13.	<u>AUTHORIZE PARKS AND RECREATION COMMISSION TO APPOINT STEERING COMMITTEE MEMBERS FOR TRAILS MASTER PLAN</u>	131
	<u>Recommended Action(s):</u> <u>Authorize</u> the Parks and Recreation Commission (PRC) to Appoint Steering Committee Members to Aide in the Development of the Trails Master Plan.	
14.	<u>AWARD CONTRACT FOR NEW LIBRARY GLASS AND GLAZING PACKAGE #11 REBID</u>	133
	<u>Recommended Action(s):</u>	
	1. <u>Reject</u> Non-Responsive Apparent Low Bid from Coast Counties Glass as Recommended by the City Attorney; and	
	2. <u>Award</u> Contract to Valhalla Builders and Developers, Inc. in the Amount of \$889,500.	
15.	<u>ACCEPTANCE OF SISTER CITY DISPLAY CASE FOR SISTER CITY MEMORABILIA</u>	135
	<u>Recommended Action(s):</u>	
	1. <u>Accept</u> the Sister City Committee Display Case Located in the Entrance Hallway Next to the El Toro Room at the Community and Cultural Center;	
	2. <u>Accept</u> Donation from Anritsu of the Display Case on Behalf of the Sister City Committee; and	
	3. <u>Accept</u> the On-Going Sister Cities Memorabilia Display, Pending City Attorney Approval.	
16.	<u>MAYOR AND COUNCIL MEMBER COMPENSATION</u>	137
	<u>Recommended Action(s):</u> <u>Introduce</u> Ordinance Adjusting Salaries of the Mayor and Council Members.	
17.	<u>AMENDMENT TO AGREEMENT WITH NAFFA INTERNATIONAL</u>	141
	<u>Recommended Action(s):</u> <u>Authorize</u> the City Manager to Execute an Amendment to Agreement with NAAFA International for Plan Review Services.	
18.	<u>PURCHASE OF POLICE DETECTIVE VEHICLE</u>	151
	<u>Recommended Action(s):</u>	
	1. <u>Determine</u> that the “Competitive Bids Upon Notice for a New Vehicle would not be Likely to Result in a Lower price to the City from a Responsible Bidder, or would Cause Unnecessary Expense or Delay under the Circumstances”; and	
	2. <u>Authorize</u> Vehicle Purchase from The Ford Store of Morgan Hill for the Vehicle Identified in Staff Report for a Total Cost of \$24,385.50.	

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
19.	<u>APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 19, 2006</u>	155
20.	<u>APPROVE JOINT SPECIAL CITY COUNCIL, SPECIAL PLANNING COMMISSION, SPECIAL PARKS & RECREATION COMMISSION, SPECIAL SENIOR ADVISORY COMMISSION, AND SPECIAL YOUTH ADVISORY COMMISSION MEETING MINUTES OF MAY 23, 2006</u>	159

Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 21

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
21.	<u>LOAN TO COMMUNITY SOLUTIONS FOR THE REHABILITATION OF THE LA CASA DEL PUENTE TRANSITIONAL SHELTER FOR THE MENTALLY DISABLED</u>	161
	<u>Recommended Action(s):</u>	
	1. <u>Approve</u> a Loan of up to \$50,000 under the Agency's Housing Rehabilitation Loan Program to Community Solutions; and	
	2. <u>Authorize</u> the Executive Director to do Everything Necessary to Prepare and Execute the Loan Documents.	

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 22

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
22.	<u>APPROVE REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF MAY 24, 2006</u>	163

City Council Action

PUBLIC HEARINGS:

	Time Estimate	Page
23.	5 Minutes	
	<u>2006 HAZARDOUS BRUSH PROGRAM COMMENCEMENT REPORT AND PUBLIC HEARING</u>	195
	Public Hearing Opened.	
	Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
	Council Discussion.	
	Action- <u>Accept</u> the 2006 Hazardous Brush Program Commencement Report.	

PUBLIC HEARINGS:

	Time Estimate		Page
24.	30 Minutes	<u>PUBLIC HEARING OF PROPOSED FISCAL YEAR 2006-2007 OPERATING AND CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET</u>	199
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		Action- <u>Approve</u> Specified Increases to Fiscal Year 2005-2006 Budget.	
		Action- <u>Schedule</u> Adoption of Fiscal Year 2006-2007 Operating and Capital Improvement Program Budget for June 21, 2006.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
25.	15 Minutes	<u>COMMUNITY CONVERSATIONS AND CITY COMMUNICATIONS</u>	203
		<u>Recommended Action(s):</u>	
		1. <u>Consider</u> Proposed Guidelines for Continuing the Community Conversations and Provide Feedback to Staff;	
		2. <u>If Appropriate, Direct</u> Staff to Continue the Community Conversations as Part of the 2006-2007 Workplan;	
		3. <u>Direct</u> Staff to Increase the Proposed Budget for Fiscal Year 2006-2007 by \$50,000 to Support this effort; and	
		4. <u>Direct</u> Staff to Increase the Proposed Budget for Fiscal Year 2006-2007 by \$20,000 to Publish the City Connection Newsletter Six Times in Fiscal Year 2006-2007.	
26.	10 Minutes	<u>2006-2007 CITY WORKPLAN</u>	211
		<u>Recommended Action(s): Review and Accept</u> the Proposed 2006-2007 Workplan for City Departments, Council-Appointed Boards, Commissions, and Committees; and Council Policy Committees.	
27.	5 Minutes	<u>ESTABLISH SISTER CITY RELATIONSHIP WITH MIZUHO, JAPAN</u>	243
		<u>Recommended Action(s): Adopt</u> Resolution Establishing a Formal Sister City Relationship with the City of Mizuho, Japan.	
28.	5 Minutes	<u>THIRD STREET PROMENADE</u>	247
		<u>Recommended Action(s):</u>	
		1. <u>Approve</u> the Conceptual Design for the Third Street Promenade (Promenade); and	
		2. <u>Authorize</u> Staff to Submit a Grant Application for up to \$1,900,000 in Metropolitan Transportation Commission (MTC) "Transportation for Liveable Communities 2006 Capital Program" (TLC) Grants with a "Local Match" of up to \$325,000.	

City Council and Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
29.	20 Minutes	<u>PROPERTY BASED IMPROVEMENT DISTRICT (PBID)</u> (Continued from May 24, 2006) <u>Recommended Action(s):</u> 1. <u>Consider</u> a Petition from the Morgan Hill Downtown Association (MHDA) to Initiate Special Assessment Proceedings to form a PBID in Downtown; 2. <u>Direct</u> the City Manager/Executive Director to sign the Petition in Favor of the Assessment; 3. <u>Adopt</u> the Resolution of Intent to Initiate the Special Assessment Proceedings; and 4. <u>Direct</u> the City Manager/Executive Director to Sign the Ballot in Favor of the Assessment.	251
30.	5 Minutes	<u>CITY COUNCIL AND REDEVELOPMENT AGENCY SEPTEMBER 2006 MEETING SCHEDULE</u> <u>Recommended Action(s):</u> City Council/Redevelopment Agency Board <u>Direction</u> Regarding the September 2006 Meeting Schedule	329

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

	1.
<u>PUBLIC EMPLOYEE PERFORMANCE EVALUATION</u>	
Authority	Government Code 54957
Public Employee Performance Evaluation:	City Manager
Attendees:	City Council, City Manager

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.